

REMARKS

Claims 1-7 are pending in this application. Claims 1-7 are amended herein.

Claims 8-14 are new. No new matter is added.

Claims 1 and 8 are independent.

The Examiner's indication of the allowability of claims 6 if rewritten in independent form is noted with appreciation. However, as should be understood from the below, such amendment is not necessary, as amended claim 1 (from which claim 6 depends) is both novel and unobvious in view of the applied art.

Claims 1-7 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In particular, the Examiner objects to the use of the phrase "such as." Claims 1-7 have been amended to address the Examiner's noted concerns. Accordingly, it is respectfully requested that the Examiner reconsider and withdraw the rejection under 35 U.S.C. §112, second paragraph.

Claims 1-5 and 7 stand rejected under 35 U.S.C. §103(a) as being obvious over Walker, David et al (WO 9937105). To the extent not addressed by the amendments, the rejection is respectfully traversed.

As amended, claim 1 requires that the selected data not be downloaded to the transmitting terminal. Support for this feature is found in the originally filed specification at page 5, lines 15-17: "The mobile telephone sets 1 and 2 each possesses a memory of small capacity (not shown) which only displays a montage which was drawn or transmitted." Support for this is also found in the originally filed specification at page 3, lines 15-23: "[I]nformation transmission is conducted in such manner that partial data or partial images for authoring a

sending data or a sending image are stored using the storage capacity of a server provided on the Internet and that the sending data or the sending image authorized by composing these partial data or partial images is transmitted via the server to a receiver side, so that the authoring and transmission of data or images become possible without increasing the storage capacity of memory of a mobile tool." And further, support is also found at page 8, lines 8-10: "Thus, character data exceeding the storage capacity of memory of a mobile telephone set can be transmitted and received."

As disclosed in the originally filed specification, the lack of a downloading of the selected data to the transmitting terminal has the advantage of enabling the transmitting terminal to have a small storage capacity while also enabling transmission of information which requires a large storage capacity. As recited in the specification at page 2, lines 1-5, "Accordingly, it is an object of the invention to provide a method for transmitting information in which sending information including character information of large capacity as well as image information can be transmitted without increasing the storage capacity of a mobile tool." And, as recited in the specification at page 3, lines 24-27: "Accordingly, the storage capacity needed for a mobile tool is sufficient, if it is of the level to be able to display the sending data or the sending image on a display unit, thereby eliminating the need for a larger-sized mobile tool."

In contrast with amended claim 1, the Walker reference requires that a selected image component be downloaded to a sender device (i.e., transmitting terminal). As recited in the Walker reference, at page 3, lines 3-9, "In order to expand the devices component store, the said server may maintain a database of

image component objects, with the message generating apparatus being enabled to access said database, download via communications link data defining a selected one or more image component objects, and store the same. The selection and downloading may be wholly or partly under the direction of the user of the sender device, with the server perhaps presenting menus of available objects." Walker requires that the selected data be downloaded to the transmitting terminal. Thus, Walker neither teaches, nor suggests, the invention recited in the amended claims.

Accordingly, in view of the above, it is respectfully submitted that the amended claims are both novel and unobvious in view of the applied art, and thus it is respectfully requested that the Examiner reconsider and withdraw the prior art rejections of claims 1-5 and 7.

Claims 8-14 are added to recite the invention somewhat differently. As should be understood from the above, the applied art neither teaches nor suggests that recited in claims 8-14.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed local telephone number, in order to expedite resolution of any remaining issues and further to expedite passage of the application to issue, if any further comments, questions, or suggestions arise in connection with the application.

To the extent necessary, applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage of fees due in connection with the

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filing of this paper, including extension of time fees, to the Deposit Account No. 01-2135 (Case No. 521.41456X00) and please credit any excess fess to such Deposit Account.

Respectfully submitted,
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